

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: **WALTER H. TOMASCH
DBA: THE WALPAPER BARN**

Debtor(s) **CHAPTER 13**

**CHARLES J. DEHART, III
CHAPTER 13 TRUSTEE
Movant** **CASE NO: 4-17-00899-JJT**

TRUSTEE'S MOTION TO DISMISS CASE

AND NOW, on March 31, 2017, Charles DeHart, III, Standing Chapter 13 Trustee for the Middle District of Pennsylvania, moves this Honorable Court for dismissal of the above-captioned Chapter 13 bankruptcy case for the following reason(s):

- 1) A Petition under Chapter 13 was filed on March 7, 2017.
- 2) The Debtor has not filed the following items or a motion for extension of time to file same pursuant to F.R.B.P. 1007(c).

- CHAPTER 13 PLAN

- 3) If upon receipt of this Motion and the Notice, Debtors file the missing documents on or before the response date specified on said notice, the Motion shall be deemed withdrawn and moot.

WHEREFORE, your Trustee prays that this Honorable Court enter an Order dismissing the above-captioned case.

Respectfully submitted,
s/ Charles J. DeHart, III
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
(717) 566-6097

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CHAPTER 13

CASE NO: 4-17-00899-JJT

NOTICE

The debtor(s) filed a Chapter13 Bankruptcy Petition on March 7, 2017.

The Standing Chapter 13 Trustee, Charles J. DeHart, III, has filed a Motion to Dismiss for failure to file the indicated document(s) below:

- CHAPTER 13 PLAN

A hearing with the Court has been scheduled for:

**Date: April 28, 2017
Time: 10:00 AM
Location: U.S. Courthouse and Federal Building
Courtroom #1, 4th Floor
240 West Third Street
Williamsport, PA 17701**

Any objection/response to the Trustee's Motion to Dismiss must be filed and served on or before: **April 14, 2017**. If Debtor(s) file the missing documents on or before the stated response date, the Motion shall be deemed withdrawn and moot.

Additionally, if you file and serve an objection/response within the time period, a hearing will be held on the above date. If you do not file an objection within the time permitted the Court will deem the motion unopposed and proceed to consider the Motion without further notice or hearing, and may grant the relief requested.

Respectfully submitted,
s/ Charles J. DeHart, III
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036

Dated: March 31, 2017

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: WALTER H. TOMASCH
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Debtor(s)

CHAPTER 13

CASE NO: 4-17-00899-JJT

CERTIFICATE OF SERVICE

I hereby certify that the Debtor and his/her counsel, have been served a copy of this Motion, Notice and Proposed Order by First Class Mail, unless served electronically, at the below address on March 31, 2017.

DONALD M. HAHN, ESQUIRE
122 EAST HIGH STREET
P.O. BOX 209
BELLEFONTE, PA 16823-

WALTER H. TOMASCH
118 WALTERS HAVEN LANE
SPRING MILLS, PA 16875

Respectfully submitted,
s/ Vickie Williams
for Charles J. DeHart, III, Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036

Dated: March 31, 2017

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: **WALTER H. TOMASCH
DBA: THE WALPAPER BARN**

Debtor(s)

CHAPTER 13

**CHARLES J. DEHART, III
CHAPTER 13 TRUSTEE
Movant**

CASE NO: 4-17-00899-JJT

vs.

**WALTER H. TOMASCH
DBA: THE WALPAPER BARN**

MOTION TO DISMISS

Respondent(s)

ORDER DISMISSING CASE

Upon consideration of the Trustee's Motion to Dismiss, it is hereby ORDERED that the above-captioned bankruptcy be and hereby is DISMISSED.